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May 18, 2007

BY E-FILE AND HAND DELIVERY

The Honorable Gregory M. Sleet
U.S. District Court
District of Delaware
844 N. King Street
Lockbox 19
Wilmington, DE 19801

Re: *Dyson Technology Limited and Dyson, Inc. v. Maytag Corporation*
C.A. No. 05-434-GMS

Dear Judge Sleet:

On behalf of all parties, I write to inform your Honor that, following yesterday's pretrial conference, the parties continued to confer concerning the order for presenting this case. Both sides now jointly suggest the following order, which we hope will address some of the concerns raised by your Honor during the conference:

- (1) opening argument by counsel on the patent claims;
- (2) presentation of evidence concerning the patent claims, with the scope of evidence submitted, including direct and cross-examinations, limited to the patent claims;
- (3) opening argument by counsel on the advertising counterclaims;
- (4) presentation of evidence concerning the advertising counterclaims, with the scope of evidence submitted, including direct and cross examinations, limited to the advertising counterclaims;

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- (5) instructions to the jury on the law on patent claims and advertising counterclaims;
- (6) summations by counsel on the patent claims;
- (7) summations by counsel on the advertising counterclaims and
- (8) deliberations by the same jury on both the patent claims and advertising counterclaims.

The parties jointly request respectfully that, since each side is using different law firms for the patent and advertising portions of the case, each side be permitted to use different counsel for summation on the patent claims and the advertising counterclaims.

The parties have also further conferred concerning the time for selecting a jury and would like your Honor to know that neither side has any concern about the possibility of selecting the jury on Friday, May 25, if the Court determines that such a date is most appropriate and that opening presentations should commence on Tuesday, May 28.

Respectfully,

C. Barr Flinn / mtf.

C. Barr Flinn (No. 4092)

CBF:jkm

cc: Clerk of the Court (by CM/ECF)
Francis DiGiovanni, Esquire (by CM/ECF and hand delivery)
Anthony DiSarro, Esquire (by CM/ECF)